

FILED

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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES

BY _____

GREGORY P. STONE (State Bar No. 078329)
Gregory.Stone@mto.com
ROSEMARIE T. RING (State Bar No. 220769)
Rose.Ring@mto.com
ANDREW SONG (State Bar No. 236588)
Andrew.Song@mto.com
MUNGER, TOLLES & OLSON LLP
355 South Grand Avenue
Thirty-Fifth Floor
Los Angeles, CA 90071-1560
Telephone: (213) 683-9100
Facsimile: (213) 687-3702

PERRY J. SAIDMAN (*pro hac vice* pending)
perry.saidman@designlawgroup.com
GARFIELD B. GOODRUM (*pro hac vice* pending)
garfield.goodrum@designlawgroup.com
GEORGE D. RAYNAL (*pro hac vice* pending)
george.raynal@designlawgroup.com
SAIDMAN DESIGNLAW GROUP, LLC
8601 Georgia Avenue, Suite 603
Silver Spring, MD 20910
Telephone: (301) 585-8601
Facsimile: (301) 585-0138

Attorneys for Plaintiff
APPLE INC.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

APPLE INC., a California corporation,

Plaintiff,

vs.

MEDIA SOLUTIONS HOLDINGS,
LLC, a Delaware limited liability
company; eREPLACEMENTS, LLC, a
Delaware limited liability company;
and LAPTOPS FOR LESS, LLC, a
Delaware limited liability company,

Defendants.

SACV09-01364

CASE NO.

CJC (RNBx)

COMPLAINT FOR DESIGN
PATENT INFRINGEMENT

-and-

DEMAND FOR JURY TRIAL

1 **NOW COMES** Plaintiff Apple Inc. ("Apple"), by and through its attorneys,
2 and for its Complaint against defendants Media Solutions Holdings, LLC,
3 eReplacements, LLC, and Laptops For Less, LLC, alleges as follows:

4 **JURISDICTION AND VENUE**

5 1. This action arises under the patent laws of the United States, 35 U.S.C.
6 §§ 1, *et. seq.* The court has subject matter jurisdiction under 28 U.S.C. § 1338(a).
7 Personal jurisdiction over the Defendants is proper pursuant to Federal Rule of
8 Civil Procedure 4 and California Code of Civil Procedure § 410.10.

9 2. Venue is proper under 28 U.S.C. §§ 1391(b) and (c) and 1400(b). The
10 Defendants reside in this district and regularly conduct business in this district.

11 **INTRODUCTION**

12 3. This is an action for infringement of a design patent assigned to Apple.
13 The Defendants infringe the patent by selling power adapters that are substantially
14 the same as the patented design. Through various websites and otherwise, the
15 Defendants market these knock-off power adapters for use with Apple portable
16 computers, such as the MacBook. The Defendants' infringing conduct has
17 damaged Apple and inflicted irreparable harm.

18 4. Apple seeks, *inter alia*, disgorgement of Defendants' profits from the
19 sale of these infringing adapters, and injunctive relief.

20 **THE PARTIES**

21 5. Plaintiff Apple Inc. is a corporation organized and existing under the
22 laws of the State of California with a principal place of business at 1 Infinite Loop,
23 Cupertino, California. Among other things, Apple designs, manufactures and sells
24 computers, personal electronic devices, and accessories for those products, such as
25 power adapters.

26 6. Upon information and belief, defendant Media Solutions Holdings,
27 LLC (hereinafter "MSH"), is a Delaware limited liability company with a principal
28 place of business at 1290 North Hancock Street, Anaheim, California. Upon

1 information and belief, MSH owns, controls and operates two closely related
2 business entities: Laptops for Less, LLC, and eReplacements, LLC.

3 7. Upon information and belief, Laptops For Less, LLC. (hereinafter
4 “Laptops for Less” or “LFL”), is a Delaware limited liability company with a
5 principal place of business at 1290 North Hancock Street, Anaheim, California.
6 Upon information and belief, Laptops For Less is a wholly-owned subsidiary of
7 MSH and operates the websites at www.laptopsforless.com and
8 www.laptopadapter.com.

9 8. Upon information and belief, defendant eReplacements, LLC
10 (hereinafter “eReplacements”), is a Delaware limited liability company with a
11 principal place of business at 1290 North Hancock Street, Anaheim, California
12 Upon information and belief, eReplacements, LLC, is a wholly owned subsidiary of
13 MSH and operates the website at www.ereplacements.com.

14 9. Upon information and belief, defendants MSH and eReplacements use
15 the marks LAPTOPS FOR LESS and LFL to offer their goods and services and do
16 business as Laptops for Less, Inc.

17 **APPLE’S DESIGN PATENT**

18 10. U.S. Patent No. D478,310 (the “’310 Patent”), entitled “Power
19 Adapter,” issued on August 12, 2003, covering an ornamental design for a power
20 adapter. A true and correct copy of the ‘310 Patent is attached hereto as Exhibit A
21 and made a part hereof by reference. Apple is the owner by assignment of the ‘310
22 Patent.

23 **DEFENDANTS’ INFRINGING ACTS**

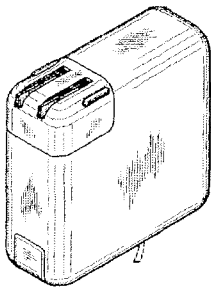
24 11. Upon information and belief, defendants MSH and LFL operate the
25 websites at www.laptopsforless.com and www.laptopadapter.com, through which
26 they sell various consumer electronic accessories at retail, including knock-off
27 power adapters for use with genuine Apple portable computers.

28 12. Upon information and belief, defendants MSH and eReplacements

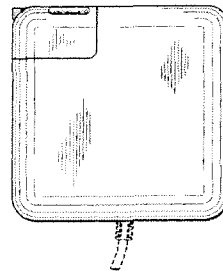
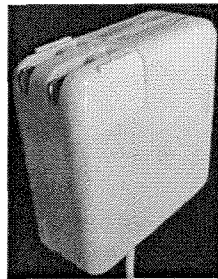
1 operate the website at www.ereplacements.com, through which they sell various
 2 consumer electronic accessories at wholesale, including knock-off power adapters
 3 for use with genuine Apple portable computers.

4 13. Defendants are selling at wholesale and retail knock-off power adapters
 5 in various power configurations that infringe the '310 Patent. For example, the
 6 photos below of Defendants' 45 Watt power adapter illustrate that it is substantially
 7 the same as Apple's patented design. The numbered figures next to the photos are
 8 from the '310 Patent.

9 **'310 Patent Compared to Defendants' 45 Watt Power Adapter**



15 FIG. 1



21 FIG. 2

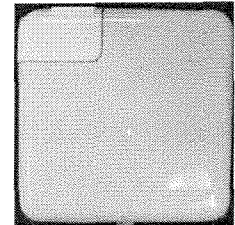


FIG. 3

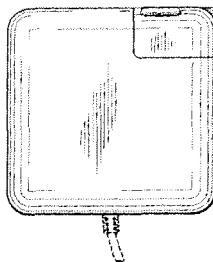


FIG. 4

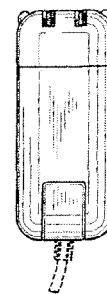
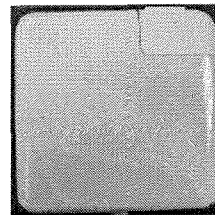


FIG. 5

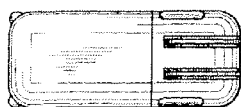


FIG. 6

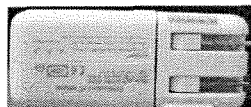
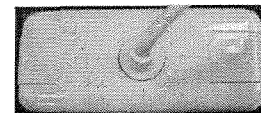


FIG. 7



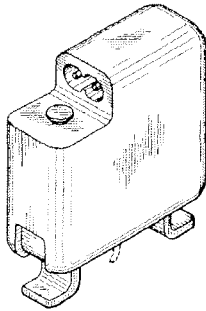


FIG. 8

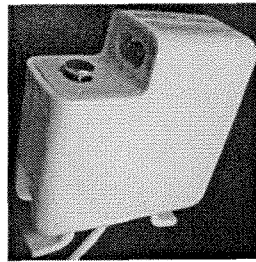


FIG. 9

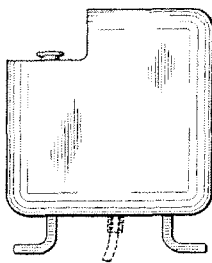


FIG. 10

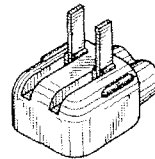
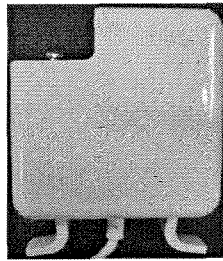


FIG. 11

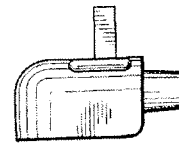


FIG. 12

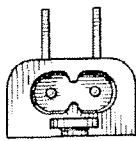
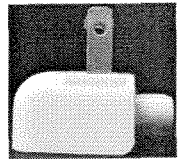


FIG. 13

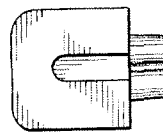
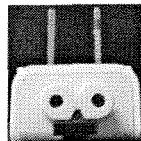


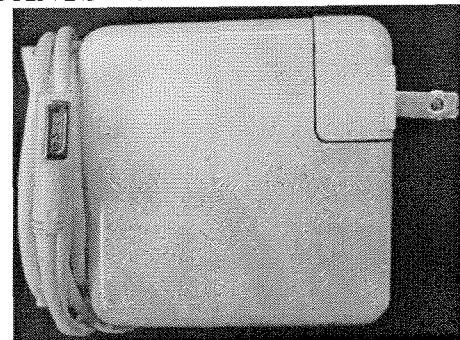
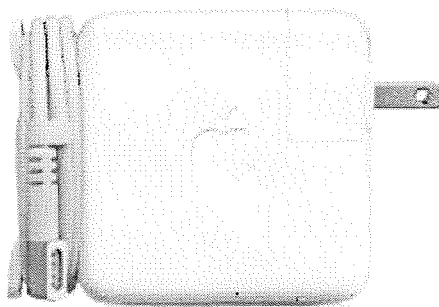
FIG. 14



14. The Defendants' knock-off power adapters also are substantially the same in appearance as Apple's genuine power adapters for its computers. For example, the photo below of Defendants' 45 Watt power adapter illustrates that it is virtually identical in appearance as Apple's genuine 45 Watt power adapter.

APPLE'S 45W POWER ADAPTER

DEFENDANTS' 45W POWER ADAPTER



COUNT I – INFRINGEMENT OF U.S. PAT. NO. D478,310

15. Apple re-alleges and incorporates hereto by reference paragraphs 1 through 14 of this Complaint as though fully set forth herein.

16. Defendants MSH, eReplacements and LFL have infringed and continue to infringe the '310 Patent. MSH, eReplacements and LFL have imported into the United States, sold and offered to sell power adapters that are substantially the same as the ornamental design claimed in the '310 Patent, and will continue to do so unless enjoined by this Court.

17. Apple has sustained damages as a result of the infringing acts of MSH, eReplacements and LFL. In addition, Apple has suffered and will continue to suffer irreparable harm unless infringement of the '310 Patent is enjoined.

WHEREFORE, plaintiff Apple prays that this Court grant the following relief:

A. A judgment that MSH, eReplacements and LFL have infringed U.S. Patent No. D478,310;

B. An award of damages adequate to compensate Apple for this infringement, including an award of the Defendants' profits from their infringement of U.S. Patent No. D478,310, together with pre- and post-judgment interest;

C. An assessment of costs;

D. An injunction against MSH, eReplacements and LFL, and their officers, agents, employees, parent and subsidiary corporations, assigns, successors in interest and all persons in active participation or concert with them or any of them, enjoining them from continued acts of infringement of U.S. Patent No. D478,310;

1 E. Such other and further relief as the Court deems just and equitable.

2
3 Dated: November 23, 2009

MUNGER, TOLLES & OLSON LLP
SAIDMAN DESIGNLAW GROUP, LLC

4
5 By: Gregory P. Stone / AWS
6 Gregory P. Stone
7 Attorneys for Plaintiff APPLE INC.

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JURY TRIAL DEMANDED

Pursuant to Federal Rule of Civil Procedure 38(b), Apple demands a trial by jury on all matters and issues triable by jury.

Dated: November 23, 2009

**MUNGER, TOLLES & OLSON LLP
SAIDMAN DESIGNLAW GROUP, LLC**

By: Gregory Stone / AWS
Gregory B. Stone
Attorneys for Plaintiff APPLE INC.

EXHIBIT A



US00D478310S

(12) **United States Design Patent** (10) Patent No.: **US D478,310 S**
Andre et al. (45) Date of Patent: **** Aug. 12, 2003**

(54) **POWER ADAPTER**

(75) Inventors: **Bartley K. Andre**, Menlo Park, CA (US); **Daniel J. Coster**, San Francisco, CA (US); **Daniele De Iulio**, San Francisco, CA (US); **Richard P. Howarth**, San Francisco, CA (US); **Jonathan P. Ive**, San Francisco, CA (US); **Steve Jobs**, Palo Alto, CA (US); **Duncan Robert Kerr**, San Francisco, CA (US); **Matthew Dean Rohrbach**, San Francisco, CA (US); **Douglas B. Satzger**, San Carlos, CA (US); **Calvin Q. Seid**, Palo Alto, CA (US); **Christopher J. Stringer**, Pacifica, CA (US); **Eugene Anthony Whang**, San Francisco, CA (US)

(73) Assignee: **Apple Computer, Inc.**, Cupertino, CA (US)

(**) Term: **14 Years**

(21) Appl. No.: **29/145,957**

(22) Filed: **Jul. 31, 2001**

(51) LOC (7) Cl. **13-02**

(52) U.S. Cl. **D13/110**

(58) Field of Search **D13/110, 107; 439/172-173, 500; 363/146; 320/107**

(56) **References Cited**

U.S. PATENT DOCUMENTS

5,019,767 A * 5/1991 Shirai et al. 320/112
 D383,115 S * 9/1997 Nagele et al. D13/110
 5,684,689 A * 11/1997 Hahn 363/146
 6,086,395 A * 7/2000 Lloyd et al. 439/172

OTHER PUBLICATIONS

U.S. Design patent application Ser. No. 29/153,133, by Andre et al., entitled "POWER ADAPTER," filed Oct. 22, 2001.

(List continued on next page.)

Primary Examiner—Holly Baynham

(74) Attorney, Agent, or Firm—Beyer Weaver & Thomas, LLP

(57) CLAIM

We claim the ornamental design for a power adapter, substantially as shown and described.

DESCRIPTION

FIG. 1 is a perspective view of a power adapter in accordance with the present design.

FIG. 2 is a right side view for the power adapter shown in FIG. 1.

FIG. 3 is a rear view for the power adapter shown in FIG. 1.

FIG. 4 is a left side view for the power adapter shown in FIG. 1.

FIG. 5 is a front view for the power adapter shown in FIG. 1.

FIG. 6 is a top view for the power adapter shown in FIG. 1.

FIG. 7 is a bottom view for the power adapter shown in FIG. 1.

FIG. 8 is a perspective view of the power adapter with an adapter element removed and feet extended in accordance with the present design.

FIG. 9 is a front view for the power adapter shown in FIG. 8.

FIG. 10 is a right side view for the power adapter shown in FIG. 8.

FIG. 11 is a perspective view of the adapter element of the power adapter.

FIG. 12 is a side view of the adapter element of the power adapter shown in FIG. 11.

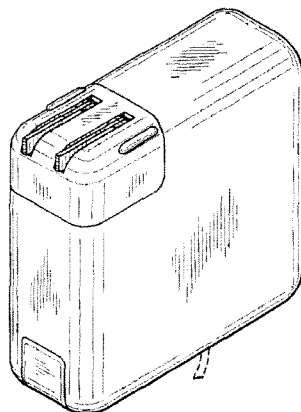
FIG. 13 is a front view of the adapter element of the power adapter shown in FIG. 11; and,

FIG. 14 is a bottom view of the adapter element of the power adapter shown in FIG. 11.

The broken line showing of a partial cord is for illustrative purposes only and forms no part of the claimed design.

The adapter element is shown detached in FIGS. 11-14 for clarity of illustration.

1 Claim, 4 Drawing Sheets



US D478,310 SPage 2

OTHER PUBLICATIONS

U.S. Design patent application Ser. No. 29/153,988, by Andre et al., entitled "ADAPTER PLUG," filed Oct. 22, 2001.

U.S. Design patent application Ser. No. 29/159,757, by Andre et al., entitled "ADAPTER," filed Apr. 24, 2002.

* cited by examiner

U.S. Patent

Aug. 12, 2003

Sheet 1 of 4

US D478,310 S

FIG. 1

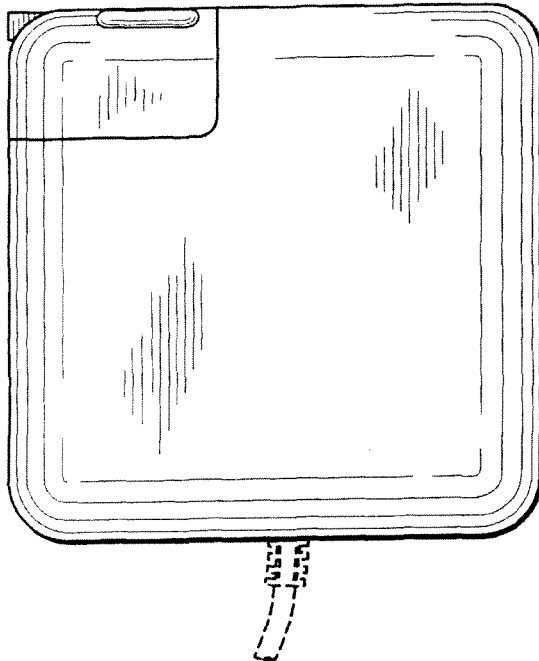
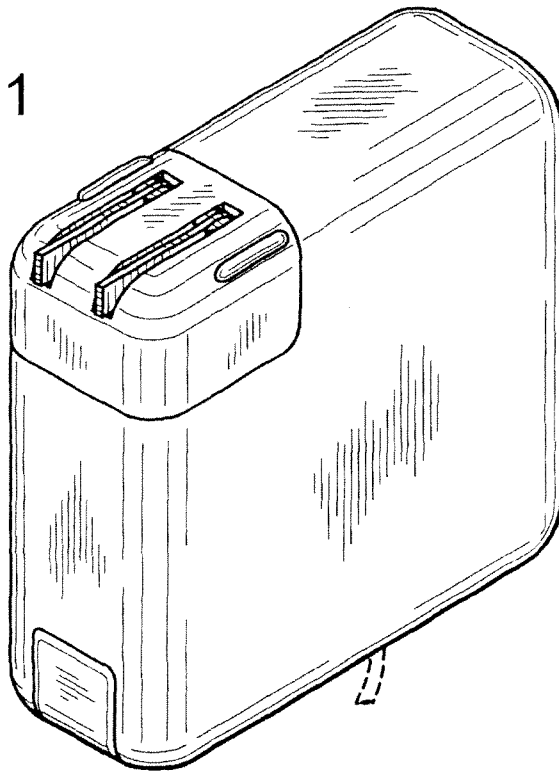


FIG. 2

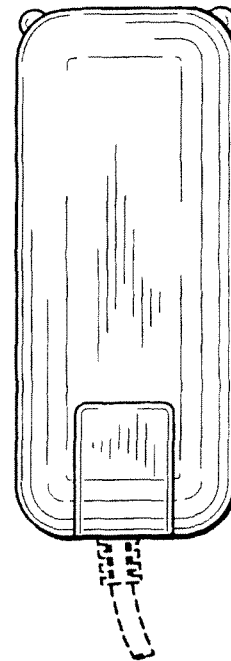


FIG. 3

U.S. Patent

Aug. 12, 2003

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US D478,310 S

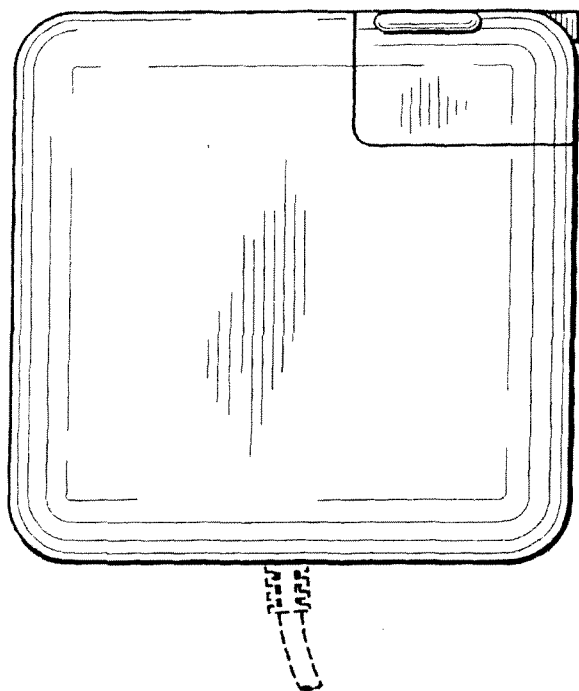


FIG. 4

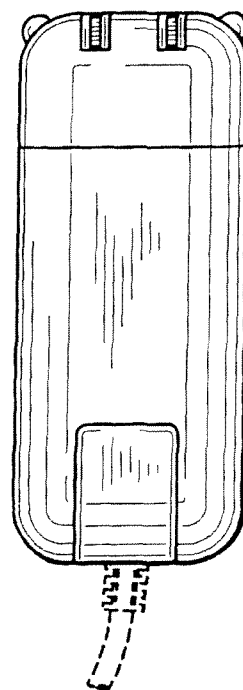


FIG. 5

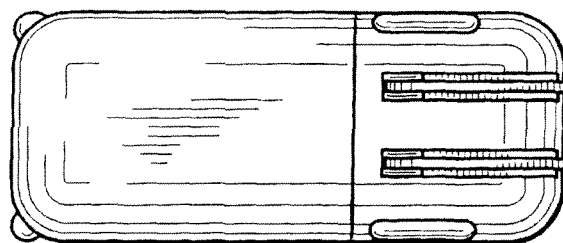


FIG. 6

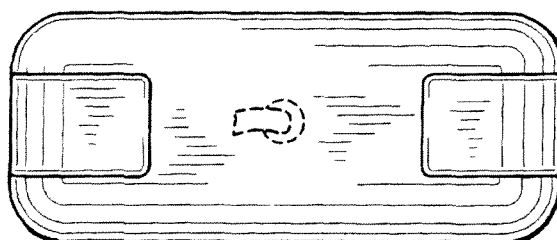


FIG. 7

U.S. Patent

Aug. 12, 2003

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US D478,310 S

FIG. 8

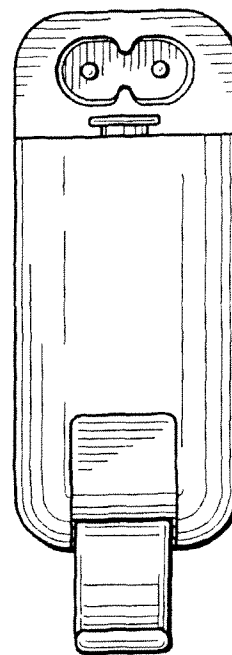
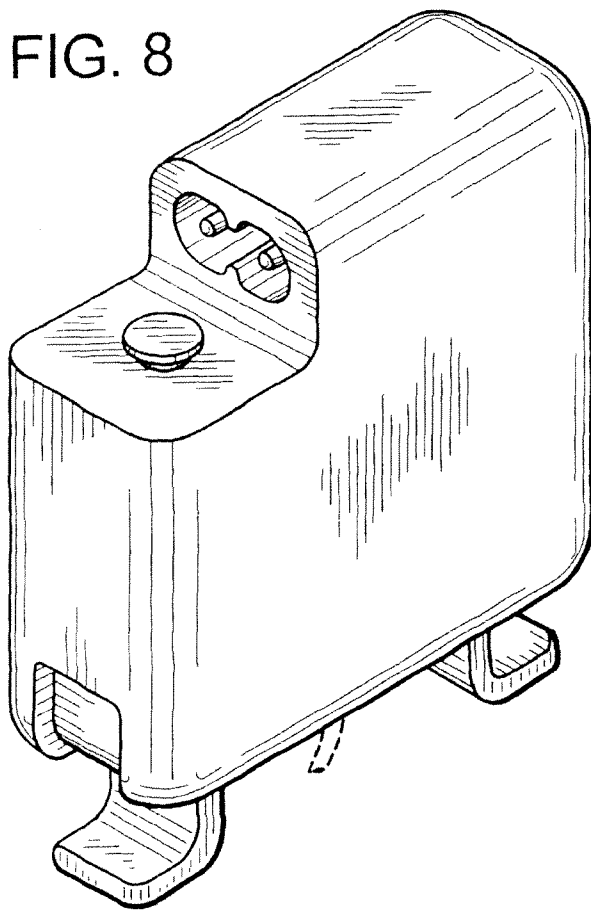
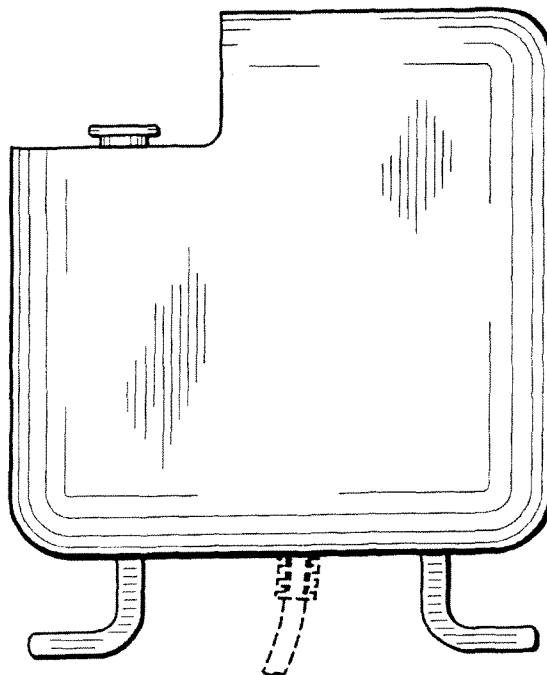


FIG. 9

FIG. 10



U.S. Patent

Aug. 12, 2003

Sheet 4 of 4

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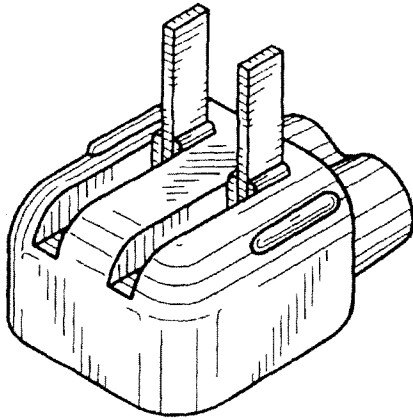


FIG. 11

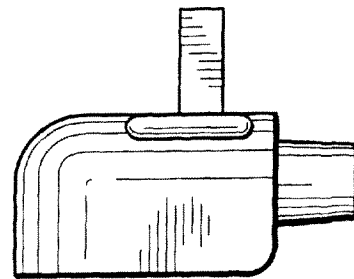


FIG. 12

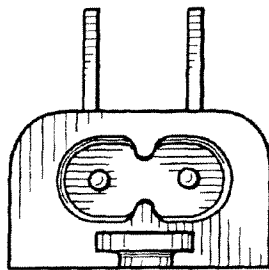


FIG. 13

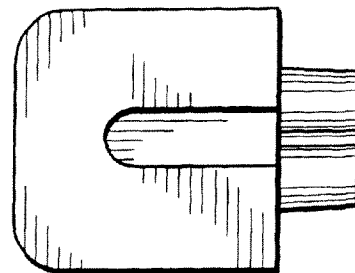


FIG. 14

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Cormac J. Carney and the assigned discovery Magistrate Judge is Robert N. Block.

The case number on all documents filed with the Court should read as follows:

SACV09 - 1364 CJC (RNBx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

All discovery related motions should be noticed on the calendar of the Magistrate Judge

=====

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

☐ **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

☒ **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

☐ **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

GREGORY P. STONE (State Bar No. 078329)
 Gregory.Stone@mta.com
 MUNGER, TOLLES & OLSON LLP
 355 S. Grand Av., 35th Fl., Los Angeles, Ca 90071
 T: (213) 683-9100; F: (213) 687-3702
 Attorneys for Plaintiff APPLE INC.

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

APPLE, INC.

CASE NUMBER

SACV09-1364

CJC (RNBx)

PLAINTIFF(S)

v.

MEDIA SOLUTIONS HOLDINGS, LLC, a Delaware
 limited liability company; eREPLACEMENTS, LLC,
 a Delaware limited liability company; and
 LAPTOPS FOR LESS, LLC, a Delaware
 limited liability company

DEFENDANT(S).

SUMMONS

TO: DEFENDANT(S): _____

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, GREGORY P. STONE, whose address is MUNGER, TOLLES & OLSON, 355 S. Grand Av., 35th Fl., Los Angeles, Ca 90071. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

CHRISTOPHER POWERS

Dated: 11/23/09

By: _____

Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

GREGORY P. STONE (State Bar No. 078329)
 Gregory.Stone@mta.com
 MUNGER, TOLLES & OLSON LLP
 355 S. Grand Av., 35th Fl., Los Angeles, Ca 90071
 T: (213) 683-9100; F: (213) 687-3702
 Attorneys for Plaintiff APPLE INC.

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

APPLE, INC.

CASE NUMBER

SACV09-1364

CJC (RNDx)

PLAINTIFF(S)

v.

MEDIA SOLUTIONS HOLDINGS, LLC, a Delaware
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 a Delaware limited liability company; and
 LAPTOPS FOR LESS, LLC, a Delaware
 limited liability company

DEFENDANT(S)

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Clerk, U.S. District Court

CHRISTOPHER POWERS

Dated: 11/23/09

By: _____

Deputy Clerk

(Seal of the Court)

SEAL

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET**

I (a) PLAINTIFFS (Check box if you are representing yourself <input type="checkbox"/>) APPLE INC.		DEFENDANTS MEDIA SOLUTIONS HOLDINGS, LLC, a Delaware limited liability company; eREPLACEMENTS, LLC, a Delaware limited liability company; and LAPTOPS FOR LESS, LLC, a Delaware limited liability company	
(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.) GREGORY P. STONE (State Bar No. 078329) Gregory.Stone@mt.com MUNGER, TOLLES & OLSON LLP 355 S. Grand Av., 35th Fl., Los Angeles, CA 90071 T: (213) 683-9100; F: (213) 687-3702		Attorneys (If Known)	

II. BASIS OF JURISDICTION (Place an X in one box only.) <input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.) <table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:30%;">Citizen of This State</td> <td style="width:10%;">PTF <input type="checkbox"/> 1</td> <td style="width:10%;">DEF <input type="checkbox"/> 1</td> <td style="width:30%;">Incorporated or Principal Place of Business in this State</td> <td style="width:10%;">PTF <input type="checkbox"/> 4</td> <td style="width:10%;">DEF <input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td>PTF <input type="checkbox"/> 2</td> <td>DEF <input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td>PTF <input type="checkbox"/> 5</td> <td>DEF <input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td>PTF <input type="checkbox"/> 3</td> <td>DEF <input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td>PTF <input type="checkbox"/> 6</td> <td>DEF <input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	PTF <input type="checkbox"/> 1	DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/> 4	DEF <input type="checkbox"/> 4	Citizen of Another State	PTF <input type="checkbox"/> 2	DEF <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	PTF <input type="checkbox"/> 5	DEF <input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	PTF <input type="checkbox"/> 3	DEF <input type="checkbox"/> 3	Foreign Nation	PTF <input type="checkbox"/> 6	DEF <input type="checkbox"/> 6
Citizen of This State	PTF <input type="checkbox"/> 1	DEF <input type="checkbox"/> 1	Incorporated or Principal Place of Business in this State	PTF <input type="checkbox"/> 4	DEF <input type="checkbox"/> 4														
Citizen of Another State	PTF <input type="checkbox"/> 2	DEF <input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	PTF <input type="checkbox"/> 5	DEF <input type="checkbox"/> 5														
Citizen or Subject of a Foreign Country	PTF <input type="checkbox"/> 3	DEF <input type="checkbox"/> 3	Foreign Nation	PTF <input type="checkbox"/> 6	DEF <input type="checkbox"/> 6														

IV. ORIGIN (Place an X in one box only.) <input checked="" type="checkbox"/> 1 Original Proceeding <input type="checkbox"/> 2 Removed from State Court <input type="checkbox"/> 3 Remanded from Appellate Court <input type="checkbox"/> 4 Reinstated or Reopened <input type="checkbox"/> 5 Transferred from another district (specify): _____ <input type="checkbox"/> 6 Multi-District Litigation <input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judge							
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V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT: \$** _____

VI. CAUSE OF ACTION (Cite the U. S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
 Patent Infringement, 35 U.S.C. § 271, et seq.

VII. NATURE OF SUIT (Place an X in one box only.)					
OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Act <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Info. Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes	CONTRACT <input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Fed. Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury-Med Malpractice <input type="checkbox"/> 365 Personal Injury-Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus-Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	TORTS PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability BANKRUPTCY <input type="checkbox"/> 22 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 American with Disabilities - Employment <input type="checkbox"/> 446 American with Disabilities - Other <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus/Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition FORFEITURE / PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety /Health <input type="checkbox"/> 690 Other	LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input checked="" type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 61 HIA(1395ff) <input type="checkbox"/> 862 Black Lung (923) 405(g) <input type="checkbox"/> 863 DIWC/DIWW 405(g) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS-Third Party 26 USC 7609

FOR OFFICE USE ONLY: Case Number:

SACV09-01364

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes

If yes, list case number(s):

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes

If yes, list case number(s):

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply)

- ☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.

☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*

California County outside of this District; State, if other than California; or Foreign Country

Santa Clara

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.

☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*

California County outside of this District; State, if other than California; or Foreign Country

Orange

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.

Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*

California County outside of this District; State, if other than California; or Foreign Country

Orange

* Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties

Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER):

Anthony Guy

Date

11/23/09

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3 -1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)